

PROLONG WRANGLING

Trial of S. Mahaulu One Running Fight.

Stephen Mahaulu's trial for embezzlement of public funds made but slow progress before Judge Gear yesterday. Auditor Fisher was on the witness stand morning and afternoon, testifying with books and papers of the Public Lands Department, regarding the \$225 paid by Mary E. Clark and the \$4500 paid by the Waianae Company, for certain land dues respectively, which monies the prosecution is attempting to prove were converted by the defendant to his own use. The evidence covered a period from June 7, 1902, to the date of the indictment.

It was the same intermittent combat over the competency, relevancy and admissibility of evidence which had characterized the trial from the beginning. One sample of the proceedings will suffice for the whole.

The ledger of land rents was introduced, whereupon Mr. Thompson objected that its admission was incompetent, in that the volume was not a book of original entry. The court sustained the objection.

Mr. Prosser then questioned the witness regarding the account of Mary E. Clark on page 401. On this also being objected to, the Deputy Attorney General argued that the evidence sought to be presented was an admission by the defendant in his own handwriting.

"It is not a book of original entry," the court remarked.

"It does not matter whether or not it is a book of original entry," Mr. Prosser contended, "as it is an admission in the handwriting of the defendant. This is not brought before the court as a book of original entry, but as an admission in the defendant's handwriting, showing a sum of money charged to Mary E. Clark on a certain date."

"It only shows that he has copied that entry from another book," the court rejoined.

Mr. Prosser again urged his contention of a distinction between the proposed evidence had from that of a matter of original entry. On which the court ruled:

"I have no doubt that the objection is well taken."

Mr. Prosser persisted by way of presenting an authority.

It was then 3:45 p. m. and the trial was continued until 10 a. m. Monday. The court adjourned until 9:30 the same morning.

LATEST INDICTMENTS.

All of the latest batch of indictments, numbering twenty-one, returned by the grand jury were released from the secret file yesterday morning and a number of the defendants arraigned.

Harry C. Mossman, former station house clerk, is defendant to five indictments alleging the embezzlement of fifteen separate amounts of money, the first on September 20, 1902, and the last on the corresponding day of 1904. The aggregate is \$177.30. He at first reserved his plea, but later entered one of not guilty. Geo. A. Davis appearing as his counsel. An application for reduction of his bail was granted. Judge Gear making the total \$2500 instead of \$5000. A bond was furnished under which Mossman was released.

Ah Tam and eleven other Ahs were arraigned for gambling and R. W. Breckons, as their counsel, had their pleas reserved until Monday.

A. McDuffie, former police detective, had his pleas to five indictments for accepting bribes reserved until Monday by his counsel, Geo. A. Davis.

Ah On, former policeman among the Chinese especially, pleaded not guilty to three separate indictments for receiving bribes. Geo. A. Davis and F. E. Thompson are his counsel.

Defendants yet to plead, besides those already mentioned, are the following: M. P. Lagan, embezzlement from the O. R. & L. Co.; Wm. Hoopli, burglary; Jose Revela, vagrancy; Henry Romero, vagrancy; Otomatsu Kawano, manslaughter; Gan Gin, lottery tickets in possession.

THIRD COMPLAINT.

An amended complaint, for the second time, has been filed in the action for seizure and detention of goods brought by the firm of Yan Wo Tong against Hoffschlaeger & Co., Ltd., and A. M. Brown, High Sheriff.

Defendants are charged with having, on March 18, 1904, unlawfully, wilfully, and forcibly broken into plaintiff's store on Hotel street, and then and there seized and carried away certain goods, of which an itemized list is given showing a total value of \$508.42, and kept the goods in their possession until April 5, 1904, when they returned them after an action of replevin had been brought for their recovery. Damages are claimed in the sum of \$1500, together with costs.

AN AGGRIEVED LESSEE.

In the covenant suit of Chung See vs. Kahanu Meek, the plea in bar stands submitted before Judge Robinson on briefs. L. A. Dickey for plaintiff; J. J. Dunne for defendant. The sum of \$225.50 is claimed, with interest from March 24, 1898, as damages for terminating a lease on the pretext of conditions broken. According to the complaint, the lease was given to plaintiff on July 8, 1895, by Keakealani Mekini and Mekini Ohue, her husband, for the term of ten years at \$140 a year, the leased premises being on the upper side of Merchant street, near Alakea street. On February 8, 1897, the lessors conveyed all their interest in the lease to the defendant. Plaintiff alleges that, relying on the covenant in the lease,

he erected two buildings on the premises, one costing \$1250 and the other \$1125. When the defendant entered to terminate the lease she refused, it is asserted, a tender of \$140 rent for the year ending June 30, 1897.

FORECLOSURE SUIT.
A bill in equity for foreclosure of mortgage has been filed by Allen & Robinson against J. K. Nakookoo and E. K. Nakookoo. The mortgage is on a piece of land at Kaluapohia, Kailua, containing an area of 6865 square feet, and was given to secure a promissory note for \$500, dated April 30, 1903, with interest of 8 per cent. per annum payable semi-annually.

ABOUT TWO COWS.
Judge Robinson yesterday partly heard an appeal by plaintiff from District Magistrate E. P. Alkue, Koolau-poko, Oahu, in the suit of Maleka Halele against Frank Pahl, claiming damages of \$100 for the taking possession and conversion to his own use of two cattle, an aged cow and a young cow, valued at \$60. Judgment was given for defendant with costs in the court below. C. W. Ashford appeared for the appellant, W. C. Achi for the defendant.

LAND COURT DECREES.
Judge P. L. Weaver has signed a decree of land registration in favor of John Pekoer Makaiwa, a minor, for a lot at Kaakopua, Honolulu, containing 6175 square feet.

Another decree of registration in the Land Court is in favor of John William Thompson for lot 12, block 25, peninsula part of Pearl City, containing an area of 14,000 square feet.

FORTIFICATION DEALS TO CLOSE MONDAY

Yesterday United States District Attorney Breckons received advices from Washington to the effect that the Attorney-General had approved the titles to the fortification sites at Puuloa and Waialae, after certain specified deeds had been executed and putting it up to the District Attorney to see that the papers were got in order at once. Mr. Breckons had an extra stenographer at work on the deeds yesterday and expects to close all the deals for the sites and pay over the purchase prices not later than next Monday.

When these deals are completed it is expected that the War Department will at once proceed with the preliminary steps looking to the building of the forts.

Honolulu No Refuge.

WASHINGTON, Nov. 17.—Orders were cable today to Rear-Admiral Terry, in command at Honolulu, to look out for the arrival of Japanese and Russian cruisers. Definite instructions were sent to Terry how to deal with vessels asking for coal or privilege of repairs. The twenty-four hour limit is to be strictly enforced. Similar orders were sent a few days ago to Rear-Admiral McCalla at Mare Island.

WHAT TO DO UNTIL THE DOCTOR ARRIVES.

If it is a case of cholera or cholera morbus give Chamberlain's Colic, Cholera and Diarrhoea Remedy and you will have no need of a doctor. It is pleasant to take and never fails to give prompt relief. Why not buy it now? For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

Hawaiians at Yale.

In the Yale Alumni Weekly the following notice concerning Hawaiian students occurs: Hawaiian Club—President, Charles S. Judd, '05; vice-president, Bruce Cartwright, Jr., '05 S.; secretary and treasurer, Abraham G. Kaulukou, '05 L.S.; members, (Kahuna Hulakut), George P. Cooke, '05, and Noah Aluli, L.S.

By the steamer Alameda a large box of beautiful dolls was received by the ladies' executive committee of the Chinese Fair. About a dozen of the dark-complexioned ones are being dressed in the national costume of the Flowery Kingdom by Chinese ladies.

WHAT A BLESSING

Many People Are Learning to Appreciate in Honolulu.

What a blessing it is. Sought after by thousands. Honolulu is finding it out. Many a miserable man is happy now. Night of unrest, days of trouble. Any itching skin disease means this. Itching files mean it. Eczema just as bad, and just as bad to cure. But Doan's Ointment relieve at once, and cures all itching of the skin. A blessing to a suffering public. Here's proof to back our statement: Mr. H. Ryall, of No. 11, Grosvenor St., South Yarra, a very old resident of Melbourne, Australia, states: "For some considerable time I have been a sufferer from that annoying complaint known as irritating piles. At times the irritation was very annoying, especially at night, and in the warm weather. I applied some of Doan's Ointment, which I had obtained and I am pleased to say that it gave me the desired relief from this annoying disease."

Doan's Ointment is splendid in all diseases of the skin: Eczema, piles, hives, insect bites, sores, chills, etc. It is perfectly safe and very effective. Very frequently two or three boxes have made a complete cure of chronic cases that have not yielded to other remedies for years.

Doan's Ointment is sold by all chemists and storekeepers at 50 cents per box, or will be mailed on receipt of price by the Hollister Drug Co., Ltd., agents for the Hawaiian Islands.

IS HAWAII TO HAVE A BIG SUGAR REFINERY?

Examiner Says That Plans Are Now Under Way For the Construction of a Plant On This Island.

The Examiner says: Plans are now being formed for the erection of a large sugar refinery in the Hawaiian Islands, with a view of sending the refined sugar to this country in competition with other refineries that are now sending the product over here. The Honolulu Plantation Company is to be the owner of the new enterprise, and J. A. Buck, the president of the concern, is now in Hawaii looking over the ground. Nothing definite can as yet be learned, and full information on the matter will not be known until Buck's return from the islands.

It has been said that some of the large wholesalers are to be interested in the new refinery, notably Tillmann & Bendel of 327 Battery street and M. Ehrman & Co. of 104 Front street. C. H. Schmidt, the vice-president of the first named firm, denies that his company has anything to do with the affair. Frederick Tillmann, the head of the firm is now at St. Louis and will not return for a month. Mr. Schmidt said yesterday:

"The idea prevails among the wholesalers that the Honolulu Plantation Company is about to erect a large refinery in the islands. I understand that it intends to refine its own sugar and then send over here. The firm of Tillmann & Bendel is not interested in the matter. Frederick Tillmann, the president, may have private interests in this scheme of which I know nothing. Tillmann is now at St. Louis."

At the office of the Plantation Company news was very scarce. Word was given out that the plans have not yet come to a head and nothing was ready for publication.

H. W. Thomas, the secretary of the Honolulu Plantation Company, who has offices at 327 Market street, said:

"I have nothing to give to the papers, because I know but little myself. Buck is now in the islands looking over the ground, and until he returns nothing definite will be known of the affair. The last steamer from Honolulu did not bring any letters from Buck regarding what he had done, and I am somewhat in the dark myself. I can say nothing until we have arrived at some decision about our future movements."

At the office of M. Ehrman & Co. nothing could be learned about the connection that firm has with the new enterprise. Myer Ehrman, the head of the firm, had gone home and all questions of the firm's interest were referred to him. A call was made at the home of Mr. Ehrman, at 2618 Jackson street, but he could not be found there. Word was given the reporter that "Mr. Ehrman is not in."

H. E. PICKER A WALKING ENCYCLOPEDIA OF HAWAII

H. E. Picker, the insurance man and yachting enthusiast, returned from the mainland yesterday in the Manchuria, and bespeaks a bright future for Hawaii from what he gathered of people's impressions concerning the islands.

"I went to St. Louis to attend the convention of insurance men, held at the Exposition grounds," said he yesterday, "and from there I went to New Orleans and Mexico."

"I found, after beginning my travels, that I had to be a walking encyclopedia on Hawaiian matters, for whenever I mentioned I was from Hawaii, people wanted to know all about the islands. I told them about all I knew and I hope I have done some good promotion work."

"On the Pacific Coast, Hawaii is constantly spoken of. Hawaii is making a name for herself steadily, and much of this of late I attribute to the rise in the price of sugar."

"If one-half the people who promised me they would come down to Hawaii in the next year, do so, this town ought to be pretty full of strangers."

"I found the literature of the Hawaii Promotion Committee in many places—at St. Louis, New Orleans, and on many trains."

FEDERAL GRAND JURY WILL HOLD A SPECIAL SESSION

Ever since the election there has been a growing sentiment of dissatisfaction in the minds of some of the defeated candidates over the circumstances that numbered ballots were voted in certain election precincts. It will be remembered that, immediately following the election, there were charges of fraud made, more or less openly, but the whole thing simmered down to a matter of mere stupidity on the part of some few election officers, and it was supposed that the decisive vote by which the result was determined had settled the matter.

Well, it hasn't. It seems that the late Democratic candidate for Delegate to Congress has not been willing to let the thing rest, and United States District Judge Dole has decided, it is said, to issue a call for a special session of the Federal grand jury on Monday to look into the matter of the alleged irregularities.

"I don't know anything about it," said United States District Attorney Breckons, when interrogated yesterday concerning the proposed special session of the grand jury. "You will have to ask Judge Dole. The court adjourned last Wednesday. There had been no special session called at that time. If there had been, it would have been a matter of record."

Nevertheless, despite the disinclination of Mr. Breckons to talk about the matter, there is the best reason for believing that the special session had been determined upon. Whether an effort will be made to make the result of its deliberations—if they have any result—the basis for an attack upon the seat of Delegate Kuhio Kalaniana'ole will be a matter for future development.

The territorial grand jury, now in session, will, it is said, take up the same matter of the numbered ballots when it resumes its labors next week.

CREDIT FOR THE KAWAULA TUNNEL

Editor Advertiser: Allow me to correct some errors in yesterday's Advertiser under the heading "Water De-

velopment on Valley Isle," by Carl Waldeyer. While engineer of the Pioneer Mill Co. for three and a half years, among other hydraulic works, I planned and directed all the works of the water development and am still consulted on the subject. The Kaula tunnel was begun in June, 1901, with Ogata as contractor, a very faithful

and competent Japanese who afterwards lost his life in the tunnel. Credit is due to his memory for packing up the heavy machinery and installing most of the plant, under directions. Mr. Waldeyer is the fourth contractor who has been employed on this tunnel, the cost of which has been from \$3.50 to \$7.50 per foot, and he has duly driven the tunnel on the line and grade directed by me, but he has not been employed either as engineer or expert.

The other tunnels have also been driven by contract, which is the best way to do this kind of work.

The subject is one of much interest and promise and will be discussed later when sufficient progress has been made.

Yours truly,

J. S. MOLONY, C. E.,

Oahu Sugar Co., Waipahu.

Nov. 23, 1904.

HIS TOE AMPUTATED

Gerrit Wilder Hurt While Pruning a Tree.

Gerrit P. Wilder had the misfortune to meet with an accident yesterday forenoon, resulting in the amputation of one of his toes. He is now resting easy at Miss Johnson's Sanitarium.

Mr. Wilder was in the act of pruning a peach tree when the knife fell, striking his foot and severing the muscles of one toe, besides lacerating the foot considerably. Dr. Herbert was called and on his advice Mr. Wilder was taken to the Sanitarium where the operation was performed.

SORE MUSCLES.

Prominent athletes throughout the country find that the best treatment for sore muscles after severe exercise or hard work of any kind, is a hot bath at bed time, which opens the pores. This should immediately be followed with an application of Chamberlain's Pain Balm vigorously rubbed into the skin. This liniment removes all stiffness and soreness and has become a favorite rub down, as it acts promptly and keeps the muscles in excellent condition. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

SECRETARY ATKINSON'S BOND MISSION EAST

The Chronicle says: A. L. C. Atkinson, Secretary of the Territory of Hawaii, was a passenger on the steamer Alameda, which reached port yesterday from Honolulu. He is a guest at the Palace. Secretary Atkinson is on his way to New York to undertake the floating of \$1,000,000 of Territorial bonds. Speaking of his mission yesterday, he said:

"The Territory of Hawaii is authorized to issue, for the purposes of public improvement, bonds to the amount of 3 per cent of its assessed valuation, with the proviso, however, that not more than \$1,000,000 of bonds may be issued in any one year. It is not the purpose of the Territory, however, to issue more than \$3,000,000 of bonds, and it may be that only \$2,000,000 will be issued. Last year Governor Carter, then Secretary of the Territory, went East and floated the first issue of \$1,000,000, the proceeds from which have been used in improving the sewer system of Honolulu and in the building of wharves, roads and bridges. The proceeds from the second issue of \$1,000,000, which it is my business to dispose of, will be used to complete the improvements already undertaken. Whether an additional \$1,000,000 of bonds will be disposed of next year has not been decided. The Territory's bonds issued last year were disposed of at a good price, and I am hopeful that we will be able to secure a good figure for those now to be sold." Secretary Atkinson will depart for the East this morning.

A BROKEN DOWN SYSTEM.

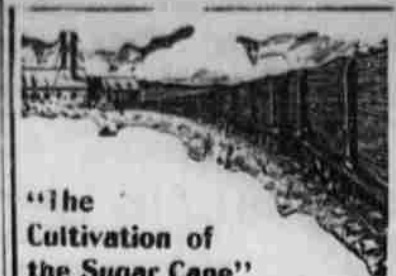
This is a condition (disease) to which doctors give many names, but which few of them really understand. It is simply weakness—a break-down, as it were, of the vital forces that sustain the system. No matter what may be its causes (for they are almost numberless), its symptoms are much the same; the more prominent being sleeplessness, sense of prostration or weariness, depression of spirits and want of energy for all the ordinary affairs of life. Now, what alone is absolutely essential in all such cases is INCREASED VITALITY—VIGOR—VITAL STRENGTH AND ENERGY—to throw off these morbid feelings, and experience proves that as night succeeds the day this may be more certainly secured by a course of the celebrated life-reviving tonic.

THERAPION NO. 2

than by any other known combination. So surely as it is taken in accordance with the printed directions accompanying it, will the shattered health be restored, the EXPIRING LAMP OF LIFE LIGHTED UP AFRESH, and a new existence reported in place of what had so lately seemed worn-out, "used up" and valueless. This wonderful medicine is purely vegetable and innocuous, is agreeable to the taste—suitable for all constitutions and conditions, in either sex; and it is difficult to imagine a case of disease or derangement, whose main features are those of debility, that will not be speedily and permanently benefited by this never-failing restorative essence, which is destined to cast into oblivion everything that had preceded it for this widespread and numerous class of human ailments.

THERAPION

is sold by the principal Chemists throughout the world. Price in England, 2/6 and 4/6. Purchasers should see that the word "Therapion" appears on British Government Stamp (in white letters on a red ground) affixed to every package by order of His Majesty's Hon. Commissioners, and without which it is a forgery.



"The Cultivation of the Sugar Cane"

a treatise on the fundamental principles of growing Sugar Cane, should be in the hands of every planter.

The value and use of

Nitrato of Soda

(THE STANDARD AMMONIATE) in increasing and bettering the growth of Sugar Cane is now so well understood that the real profit in sugar growing may be said to depend upon its use.

This Book and other valuable Bulletins of value to every one engaged in agriculture, are sent entirely free to anyone interested. Send your name and complete address on Post Card.

Wm. S. Myers, Director, 12-16 John St., New York.

Hamburg-Bremen Fire Insurance Co

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of

F. A. SCHAEFER & CO., Agts.

North German Marine Insurance Co. OF BERLIN.

Fortuna General Insurance Co. OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., General Agents.

General Insurance Co. for Sea River and Land Transport of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

UNION PACIFIC

The Overland Route.

It was the Route in '49!
It is the Route today, and
Will be for all time to come.

THE OLD WAY.



THE NEW WAY.



"THE OVERLAND LIMITED."

ELECTRIC LIGHTED

RUNNING EVERY DAY IN THE YEAR

Only Two Nights between Missouri and San Francisco

Montgomery St. San Francisco, Cal

S. F. BOOTH.

General Agent.

POLICE WORKED

WELL IN THE WET

The police were rather active yesterday afternoon and evening in spite of the inclement weather. Thirty-five Japanese are in on the charge of gambling. They were playing craps and the Japanese "Flower" game. A couple of these are also charged with the more serious offense of attempting to bribe an officer. They were willing to pay \$15 to have the officer let the crowd escape.

Seven Asiatics forgot the scare of the previous Sunday and opened their shops yesterday—to their sorrow, as they are now locked up at the Police Station. Filipo Kaleikoa was run in for being disobedient and Kong Chong for violating the ordinance against riding or driving on the sidewalk.